

**U.S. District Court
Eastern District of California – Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:20-cv-00848-KJM-KJN**

Caudel v. Amazon.Com, Inc.
Assigned to: Chief District Judge Kimberly J. Mueller
Referred to: Magistrate Judge Kendall J. Newman
Demand: \$5,000,000
Cause: 28:1332 Diversity–Product Liability

Date Filed: 04/24/2020
Date Terminated: 03/28/2022
Jury Demand: Plaintiff
Nature of Suit: 385 Prop. Damage Prod. Liability
Jurisdiction: Diversity

Plaintiff

Amanda Caudel

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Plaintiff

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Plaintiff

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Plaintiff

Shaney Scott

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V.

Defendant

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Date Filed	#	Docket Text
04/24/2020	<u>1</u>	COMPLAINT against Amazon.Com, Inc. by Amanda Caudel. Attorney Reese, Michael added. (Filing fee \$ 400, receipt number 0972-8861785) (Attachments: # <u>1</u> Civil Cover Sheet)(Reese, Michael) (Entered: 04/24/2020)
04/27/2020	<u>2</u>	SUMMONS ISSUED as to *Amazon.Com, Inc.* with answer to complaint due within *21* days. Attorney *Michael Reese* *Reese Richman LLP* *875 Avenue of the Americas, 18th Floor* *New York, NY 10001*. (Benson, A.) (Entered: 04/27/2020)
04/27/2020	<u>3</u>	CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 9/3/2020 at 02:30 PM in Courtroom 3 (KJM) before Chief District Judge Kimberly J. Mueller. (Attachments: # <u>1</u> Standing Order, # <u>2</u> Consent Form, # <u>3</u> VDRP) (Benson, A.) (Entered: 04/27/2020)
05/27/2020	<u>4</u>	NOTICE of APPEARANCE by George Volney Granade, II on behalf of Amanda Caudel. Attorney Granade, George Volney added. (Granade, George) (Entered: 05/27/2020)
05/27/2020	<u>5</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Amanda Caudel for attorney Carlos F. Ramirez to appear Pro Hac Vice. (Filing fee \$ 225, receipt number 0972-8908653) (Attachments: # <u>1</u> Certificate of Good Standing)(Granade, George) (Entered: 05/27/2020)
05/27/2020	<u>6</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Amanda Caudel for attorney Spencer Sheehan to appear Pro Hac Vice. (Filing fee \$ 225, receipt number 0972-8908713) (Attachments: # <u>1</u> Certificate of Good Standing)(Granade, George) (Entered: 05/27/2020)
05/29/2020	<u>7</u>	PRO HAC VICE ORDER signed by Chief District Judge Kimberly J. Mueller on 5/28/2020 ADDING Attorney Carlos F. Ramirez, PHV for Amazon.Com, Inc. (Kastilahn, A) Modified on 8/24/2020 (Coll, A). (Entered: 05/29/2020)
05/29/2020	<u>8</u>	PRO HAC VICE ORDER signed by Chief District Judge Kimberly J. Mueller on 5/28/2020 ADDING Attorney Spencer Sheehan, PHV for Amazon.Com, Inc. (Kastilahn, A) (Entered: 05/29/2020)
07/16/2020	<u>9</u>	WAIVER of SERVICE RETURNED EXECUTED: Waiver sent to Amazon.Com, Inc. on 7/16/2020, Answer due 9/14/2020 (Granade, George) (Entered: 07/16/2020)
08/27/2020	<u>10</u>	STIPULATION and PROPOSED ORDER for Setting Briefing Schedule and Continuing Scheduling Conference by Amazon.Com, Inc.. Attorney Tobin, Thomas John added. (Tobin, Thomas) (Entered: 08/27/2020)
08/28/2020	<u>11</u>	MINUTE ORDER issued by Courtroom Deputy C. Schultz for Chief District Judge Kimberly J. Mueller: In light of the parties' stipulated agreement to allow Defendants an additional 28 days to respond to the Complaint, ECF No. <u>1</u> , the parties' joint request to continue the Status (Pretrial Scheduling) Conference is GRANTED, and the proposed briefing schedule on the anticipated Motion to Dismiss is ADOPTED. See ECF No. <u>10</u> . Accordingly, the Status (Pretrial Scheduling) Conference set for 9/3/2020 is RESET for 12/11/2020 at 10:00 AM, with the filing of a joint status report due fourteen (14) days prior; Defendant's anticipated Motion to Dismiss in response to the Complaint shall be filed no later than 10/12/2020, and noticed for hearing on 12/11/2020 at 10:00 AM before Chief Judge Kimberly J. Mueller; Plaintiff's Opposition shall be filed no later than 11/9/2020; and Defendant's Reply shall be filed by 11/23/2020. (Text Only Entry)(Schultz, C) (Entered: 08/28/2020)
10/08/2020	<u>12</u>	STIPULATION and PROPOSED ORDER for Amending Briefing Schedule and Continuing Scheduling Conference re <u>10</u> Stipulation and Proposed Order, <u>11</u> Minute Order by Amazon.Com, Inc. (Tobin, Thomas) Modified on 10/9/2020 (Mena-Sanchez, L). (Entered: 10/08/2020)

10/14/2020	<u>13</u>	MINUTE ORDER issued by Courtroom Deputy C. Schultz for Chief District Judge Kimberly J. Mueller: The parties' Joint Stipulation to Amend Briefing Schedule and Continuing Scheduling Conference, ECF No. <u>12</u> , is GRANTED. Accordingly, the Status (Pretrial Scheduling) Conference set for 12/11/2020 is RESET for 1/22/2021 at 10:00 AM, with the filing of a joint status report due fourteen (14) days prior; Defendant's anticipated Motion to Dismiss in response to the Complaint shall be filed no later than 10/26/2020, and noticed for hearing on 1/22/2021 at 10:00 AM before Chief Judge Kimberly J. Mueller; Plaintiff's Opposition shall be filed no later than 11/23/2020; and Defendant's Reply shall be filed by 12/9/2020. (Text Only Entry) (Schultz, C) (Entered: 10/14/2020)
10/26/2020	<u>14</u>	MOTION to DISMISS by Amazon.Com, Inc.. Motion Hearing set for 1/22/2021 at 10:00 AM in Courtroom 3 (KJM) before Chief District Judge Kimberly J. Mueller. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Declaration of Marcela Viegas, # <u>3</u> Declaration of Thomas Tobin, # <u>4</u> Proposed Order)(Tobin, Thomas) Modified on 10/27/2020 (Kaminski, H). (Entered: 10/26/2020)
10/26/2020	<u>15</u>	REQUEST for JUDICIAL NOTICE by Amazon.Com, Inc. in re <u>14</u> Motion to Dismiss,. (Tobin, Thomas) (Entered: 10/26/2020)
11/24/2020	<u>16</u>	STIPULATION and PROPOSED ORDER for Amended Briefing Schedule re <u>14</u> Motion to Dismiss by Amanda Caudel. (Reese, Michael) (Entered: 11/24/2020)
12/01/2020	<u>17</u>	STIPULATION and ORDER signed by Chief District Judge Kimberly J. Mueller on 11/30/2020 ORDERING that Plaintiff's Opposition to <u>14</u> Motion to Dismiss is due by 12/15/2020 and Defendant's Reply is due by 1/8/2021. (Huang, H) (Entered: 12/01/2020)
12/15/2020	<u>18</u>	OPPOSITION by Amanda Caudel to <u>14</u> Motion to Dismiss,. (Attachments: # <u>1</u> Declaration of Carlos Ramirez)(Ramirez, Carlos) (Entered: 12/15/2020)
12/28/2020	<u>19</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Amazon.Com, Inc. for attorney Charles C. Sipos to appear Pro Hac Vice. (Filing fee \$ 225, receipt number 0972-9326248) (Tobin, Thomas) (Entered: 12/28/2020)
12/28/2020	<u>20</u>	EXHIBIT Certificate of Good Standing by Amazon.Com, Inc. re <u>19</u> Pro Hac Vice Application. (Tobin, Thomas) (Entered: 12/28/2020)
12/29/2020	<u>21</u>	PRO HAC VICE ORDER signed by Chief District Judge Kimberly J. Mueller on 12/28/2020. Added attorney Charles Sipos, PHV for Amazon.Com, Inc. (Coll, A) (Entered: 12/29/2020)
12/31/2020	<u>22</u>	STIPULATION and PROPOSED ORDER for Amending Briefing Schedule and Continuing Scheduling Conference by Amazon.Com, Inc. (Tobin, Thomas) Modified on 1/4/2021 (Huang, H). (Entered: 12/31/2020)
01/05/2021	<u>23</u>	MINUTE ORDER issued by Courtroom Deputy C. Schultz for Chief District Judge Kimberly J. Mueller: In light of the time needed for Defendant to file a reply, the parties' Joint Stipulation Amending Briefing Schedule, ECF No. <u>22</u> , is GRANTED. Accordingly, the Motion Hearing as to Defendant's Motion to Dismiss, ECF No. <u>14</u> , set for 1/22/2021 is RESET for 2/19/2021 at 10:00 AM, with Defendant's reply brief due no later than 1/15/2021. It is FURTHER ORDERED, that on the court's own motion the Status (Pretrial Scheduling) Conference set for 1/22/2021 is RESET for 2/19/2021 at 10:00 AM, with the filing of a joint status report due fourteen (14) days prior. The February Status Conference and Motion Hearing will proceed before Chief District Judge Kimberly J. Mueller by video conferencing through the Zoom application. The Courtroom Deputy will provide counsel with the hearing access information no later than 10:00 AM on 2/18/2021.(Text Only Entry)(Schultz, C) (Entered: 01/05/2021)
01/15/2021	<u>24</u>	REPLY by Amazon.Com, Inc. re <u>14</u> Motion to Dismiss. (Tobin, Thomas) (Entered: 01/15/2021)

01/27/2021	<u>25</u>	STIPULATION and PROPOSED ORDER for Continuing Hearing and Scheduling Conference by Amazon.Com, Inc.. (Tobin, Thomas) (Entered: 01/27/2021)
02/01/2021	<u>26</u>	MINUTE ORDER issued by Courtroom Deputy C. Schultz for Chief District Judge Kimberly J. Mueller on 2/1/2021: This court, having reviewed the parties' Stipulation for Continuing Motion Hearing and Scheduling Conference, ECF No. <u>25</u> , RESETS the 2/19/2021 Status Pretrial Scheduling Conference to 4/16/2021 at 10:00 AM before Chief District Judge Kimberly J. Mueller, with the filing of a Joint Status Report due no less than fourteen (14) days prior. The court also RESETS the Motion Hearing as to Defendant's Motion to Dismiss, ECF No. <u>14</u> , to 4/16/2021 at 10:00 AM before Chief District Judge Kimberly J. Mueller. (Text Only Entry) (Schultz, C) (Entered: 02/01/2021)
04/02/2021	<u>27</u>	JOINT STATUS REPORT by Amazon.Com, Inc.. (Tobin, Thomas) (Entered: 04/02/2021)
04/06/2021	<u>28</u>	MINUTE ORDER issued by Relief Courtroom Deputy M. York for Chief District Judge Kimberly J. Mueller on 4/6/2021: On the court's own motion and pursuant to Local Rule 230(g), Defendant's Motion to Dismiss, ECF No. <u>14</u> , is SUBMITTED without oral argument. Accordingly, the hearing date of 4/16/2021, is VACATED. If the court determines that oral argument is needed, it will be scheduled at a later date. It is FURTHER ORDERED that the Status Pretrial Scheduling Conference set for 4/16/2021, is RESET for 6/17/2021, at 2:30 PM, before Chief Judge Kimberly J. Mueller, with the filing of an updated joint status report due fourteen (14) days prior. (Text Only Entry) (York, M) (Entered: 04/06/2021)
04/21/2021	<u>29</u>	NOTICE of SUPPLEMENTAL AUTHORITY by Amanda Caudel re <u>18</u> Opposition to Motion. (Attachments: # <u>1</u> Exhibit A)(Ramirez, Carlos) (Entered: 04/21/2021)
04/29/2021	<u>30</u>	RESPONSE by Amazon.Com, Inc. to <u>29</u> Notice of Supplemental Authority. (Tobin, Thomas) (Entered: 04/29/2021)
06/03/2021	<u>31</u>	JOINT STATUS REPORT by Amazon.Com, Inc.. (Tobin, Thomas) (Entered: 06/03/2021)
06/03/2021	<u>32</u>	MINUTE ORDER issued by Courtroom Deputy C. Schultz for Chief District Judge Kimberly J. Mueller on 6/3/2021: In light of the pending Motion to Dismiss, ECF No. <u>14</u> , the Status (Pretrial Scheduling) Conference set for 6/17/2021 is RESET for 9/30/2021 at 2:30 PM before Chief District Judge Kimberly J. Mueller, with the filing of an updated joint status report due fourteen (14) days prior. The September Hearing will proceed by video conferencing through the <i>Zoom</i> application. The Courtroom Deputy will provide counsel with the hearing access information no less than 24 hours before the hearing (Text Only Entry)(Schultz, C) (Entered: 06/03/2021)
07/14/2021	<u>33</u>	NOTICE of Supplemental Authority by Amazon.Com, Inc. (Sipos, PHV, Charles) (Entered: 07/14/2021)
09/14/2021	<u>34</u>	JOINT STATUS REPORT by Amazon.Com, Inc.. (Tobin, Thomas) (Entered: 09/14/2021)
09/21/2021	<u>35</u>	MINUTE ORDER issued by Courtroom Deputy C. Schultz for Chief District Judge Kimberly J. Mueller on 9/21/2021: In light of the pending Motion to Dismiss, ECF No. <u>14</u> , the Status (Pretrial Scheduling) Conference set for 9/30/2021 is RESET for 12/2/2021 at 2:30 PM before Chief District Judge Kimberly J. Mueller, with the filing of an updated joint status report due fourteen (14) days prior. The December Hearing will proceed by video conferencing through the <i>Zoom</i> application. The Courtroom Deputy will provide counsel with the hearing access information no less than 24 hours before the hearing. (Text Only Entry)(Schultz, C) (Entered: 09/21/2021)
10/15/2021	<u>36</u>	ORDER signed by Chief District Judge Kimberly J. Mueller on 10/15/21 GRANTING <u>14</u> Motion to Dismiss; Plaintiffs may file an amended complaint within 30 days, if they are able to do so while complying with FRCP 11. (Benson, A.) (Entered: 10/15/2021)
11/18/2021	<u>37</u>	

		ORDER to SHOW CAUSE signed by Chief District Judge Kimberly J. Mueller on 11/17/21 ORDERING plaintiff to show cause why the court should not dismiss and close this case for plaintiff's failure to prosecute and comply with court orders. Plaintiff shall file a response within fourteen days. The court vacates the December 2 Status (Pretrial Scheduling) Conference and resets it for 3/10/2022 at 02:30 PM. The parties shall file a joint status report fourteen days prior to the March 10th date if it remains on calendar. (Kaminski, H) (Entered: 11/18/2021)
12/01/2021	<u>38</u>	RESPONSE to <u>37</u> Order to Show Cause by Amanda Caudel. (Attachments: # <u>1</u> Amended Class Action Complaint)(Ramirez, Carlos) Modified on 12/2/2021 (Coll, A). (Entered: 12/01/2021)
12/22/2021	<u>39</u>	MINUTE ORDER issued by Relief Courtroom Deputy L. Kennison for Chief District Judge Kimberly J. Mueller on 12/22/2021: The court DISCHARGES the Order to Show Cause, ECF No. <u>37</u> . Plaintiff's Amended Complaint shall be filed by 1/11/2022. (Text Only Entry)(Kennison, L) (Entered: 12/22/2021)
01/05/2022	<u>40</u>	FIRST AMENDED COMPLAINT against All Defendants by Amanda Caudel, Allison Carranza–Moreno, Cathy Diomartich, Shaney Scott. Attorney Ramirez, Carlos F. added.(Ramirez, Carlos) (Entered: 01/05/2022)
01/18/2022	<u>41</u>	STIPULATION and PROPOSED ORDER for Extending Time for Defendant to Respond to <u>40</u> First Amended Complaint by Amazon.Com, Inc. (Tobin, Thomas) (Entered: 01/18/2022)
01/21/2022	<u>42</u>	ORDER signed by Chief District Judge Kimberly J. Mueller on 1/20/2022 EXTENDING <u>41</u> to 2/22/2022 that defendant's time for filing its responsive pleading to <u>40</u> the First Amended Complaint.(Reader, L) (Entered: 01/21/2022)
02/22/2022	<u>43</u>	STIPULATION and PROPOSED ORDER Extending Time for Defendant to Respond re <u>40</u> Amended Complaint by Amazon.Com, Inc. (Tobin, Thomas) Modified on 2/24/2022 (Mena–Sanchez, L). (Entered: 02/22/2022)
02/25/2022	<u>44</u>	MINUTE ORDER issued by Courtroom Deputy C. Schultz for Chief District Judge Kimberly J. Mueller on 2/25/2022: The parties' Joint Stipulation for Extension of Time, ECF No. <u>43</u> , is GRANTED. Accordingly, Defendant's response to Plaintiffs' First Amended Complaint, ECF No. <u>40</u> , shall be filed on or before 03/24/2022. It is FURTHER ORDERED that the Status (Pretrial Scheduling) Conference set for 3/10/2022 is RESET for 04/21/2022 at 2:30 PM before Chief District Judge Kimberly J. Mueller, with the filing of a joint status report due fourteen days prior. (Text Only Entry) (Schultz, C) (Entered: 02/25/2022)
03/22/2022	<u>45</u>	STIPULATION and PROPOSED ORDER for Transferring Venue to the USDC for the Western District of Washington by Amazon.Com, Inc.. (Sipos, PHV, Charles) (Entered: 03/22/2022)
03/28/2022	<u>46</u>	STIPULATION and ORDER signed by Chief District Judge Kimberly J. Mueller on 3/25/2022 TRANSFERRING this case to the USDC, Western District of Washington. CASE TRANSFERRED. (Huang, H) (Entered: 03/28/2022)